

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 6, 2007

DIVISION TWO

B188431 Trotter IV (Not for Publication)
v.
Baca et al.

The judgments of dismissal are affirmed. Appellant to pay costs on appeal.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

B192938 In re Cherry W., (Not for Publication)
Los Angeles County, D.C.S
v.
Robert W.,

The appeals filed July 31, 2006 are dismissed.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION THREE

B191587 Los Angeles County, D.C.S. (Not for Publication)
v.
David S., et al.

The judgment terminating parental rights is reversed. The Welfare and Institutions Code section 366.21, subdivision (f) order of December 15, 2005, is reversed only as to the father, David S. The matter is remanded to the juvenile court.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B189261 Buchanan, et al. (Not for Publication)
v.
United Independent Taxi Drivers, Inc., et al.

The judgment is reversed and the cause is remanded. The trial court is directed to vacate the writ, to reconsider and rule on petitioners' request for attorney's fees (including attorney's fees incurred by petitioners in this appeal), and to file a new and different writ and a new and different judgment, all consistent with the views expressed herein. Costs on appeal to petitioners.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

[illegible]

The order of wardship is affirmed. The matter is remanded to juvenile court with directions to declare whether the instant offenses are felonies or misdemeanors, to modify conditions of probation consistent with this opinion, and to recalculate the maximum confinement time

Epstein, P.J.

We concur: Willhite, J.
Manella, J.

B189406 People (Not for Publication)
v.
Hernandez

The one-year enhancement imposed pursuant to Penal Code section 667.5, subdivision (b) is ordered stricken, and in all other respects the judgment is affirmed. The trial court is directed to prepare a new abstract of judgment incorporating the modification and to send a certified copy to the Department of Corrections and Rehabilitation.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

B192793 Truhan
v.
Superior Court, Los Angeles County
(Lorsch et al., r.p.i.)

Filed order denying petition for rehearing.

February 6, 2007 (Continued)

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

Each of the following:

B193233 DCFS v. Kristina B.

B188227 Siegel v. California Board

Argument waived, cause submitted.

B190520 People
v.
Marvin Smith

Merits:

Argued by Victor Morse for appellant and by Kenneth Sokoler, Deputy Attorney General, for respondent. Cause submitted.

B188101 James Smith
v.
Ken Mifflin et al

Merits:

Argued by Steven Zelig for appellant and by Ken Mifflin respondent in propria persona. Cause submitted.

Court recessed at 9:45 a.m.

Court reconvened at 10:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher and D. Nolan, Deputy Clerks.

DIVISION FIVE (Continued)

B190534 People v. Waldon

Argument waived, cause submitted.

B192230 John Clement
v.
Geico Insurance Company

Merits:

Argued by John Moriarity for appellant. No appearance by respondent.
Cause submitted.

B193155 Los Angeles County, D.C.S.
v.
Mabel S.

Merits:

Argued by Andrea St. Julian for appellant and by Judith Luby, Deputy
County Counsel, for respondent. Cause submitted.

B186084 Terrie Hutton
v.
Herbert Hafif et al.,

Merits:

Argued by John Rowell for appellant and by James Moneer for
respondents. Cause submitted.

DIVISION FIVE (Continued)

B187688 Harolyn Rhue
 v.
 Allen Shay

Merits:

Argued by Harolyn Rhue appellant in propria persona and by Nate Kraut
for respondent. Cause submitted.

Court recessed at 11:30 a.m.

Court reconvened at 11:35 a.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and J. Belcher, Deputy Clerk.

Each of the following:

B195087 Tammy K. v. SCLA
B188776 Nakamoto v. Nakamoto
B192372 People v. Uribe
B192670 DCFS v. Miriam S.
B191410 People v. Ford

Argument waived, cause submitted.

B187632 Kristin Tinker
 v.
 Mark Tinker

Merits:

Argued by Gary Cohen for appellant and by Nancy Dunaetz for respondent.
Cause submitted.

Court adjourned.

DIVISION FIVE (Continued)

B193474 People (Not for Publication)

V.

Enrique Hernandez

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.

Mosk, J.

DIVISION SIX

B180936 People (Not for Publication)

V.

Ayyar

We reverse the sentence and remand for recalculation of appellant's sentence with directions that:(1) the aggregate subordinate term not exceed five years based on former section 1170.1, subdivision (a); and (2) the total aggregate sentence not exceed the original sentence of twelve years four months. (See e g., *People v. Castaneda*, supra, 75 Cal.App.4th at p. 614.) In all other respects, the judgment of conviction is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.

Perren, J.

February 6, 2007 (Continued)

DIVISION SIX (Continued)

B193305 People (Not for Publication)

V.

Jackson

The order is affirmed.

Gilbert, P.J.

We concur: Coffee, J.

Perren, J.

B190587 People (Not for Publication)

V.

Menchaca

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.

Yegan, J.

B192971 People (Not for Publication)

V.

Delaney

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.

Perren, J.

DIVISION EIGHT

B163824 Militonian et al., (Not for Publication)

v.

Adamian Oil Company, Inc., et al.,

The attorney's fee award is affirmed. The respondents are to recover their costs on appeal.

Boland, J.

We concur: Cooper, P.J.
 Rubin, J.